

By:

Wentworth

S.B. No. 629

A BILL TO BE ENTITLED

AN ACT

relating to the creation of magistrates in Comal County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 54, Government Code, is amended by adding Subchapter W to read as follows:

SUBCHAPTER W. MAGISTRATES IN COMAL COUNTY

Sec. 54.1151. AUTHORIZATION; APPOINTMENT; ELIMINATION.

(a) The Commissioners Court of Comal County may authorize the judges of the district and statutory county courts in Comal County to appoint one or more part-time or full-time magistrates to perform the duties authorized by this subchapter.

(b) The judges of the district and statutory county courts in Comal County by a unanimous vote may appoint magistrates as authorized by the Commissioners Court of Comal County.

(c) An order appointing a magistrate must be signed by the local presiding judge of the district courts serving Comal County, and the order must state:

(1) the magistrate's name; and

(2) the date the magistrate's employment is to begin.

(d) An authorized magistrate's position may be eliminated on a majority vote of the Commissioners Court of Comal County.

Sec. 54.1152. QUALIFICATIONS; OATH OF OFFICE. (a) To be eligible for appointment as a magistrate, a person must:

(1) be a citizen of the United States;

1           (2) have resided in Comal County for at least the two  
2 years preceding the person's appointment; and

3           (3) be at least 30 years of age.

4           (b) A magistrate appointed under Section 54.1151 must take  
5 the constitutional oath of office required of appointed officers of  
6 this state.

7           Sec. 54.1153. COMPENSATION. (a) A magistrate is entitled  
8 to the salary determined by the Commissioners Court of Comal  
9 County.

10          (b) A full-time magistrate's salary may not be less than  
11 that of a justice of the peace of Comal County as established by the  
12 annual budget of Comal County.

13          (c) A part-time magistrate's salary is equal to the per-hour  
14 salary of a justice of the peace. The per-hour salary is determined  
15 by dividing the annual salary by a 2000 work-hour year. The local  
16 administrative judge of the district courts serving Comal County  
17 shall approve the number of hours to be paid a part-time magistrate.

18          (d) The magistrate's salary is paid from the county fund  
19 available for payment of officers' salaries.

20          Sec. 54.1154. JUDICIAL IMMUNITY. A magistrate has the same  
21 judicial immunity as a district judge.

22          Sec. 54.1155. TERMINATION OF EMPLOYMENT. (a) A magistrate  
23 may be terminated by a majority vote of all the judges of the  
24 district and statutory county courts of Comal County.

25          (b) To terminate a magistrate's employment, the local  
26 administrative judge of the district courts serving Comal County  
27 must sign a written order of termination. The order must state:

1           (1) the magistrate's name; and

2           (2) the final date of the magistrate's employment.

3           Sec. 54.1156. JURISDICTION; RESPONSIBILITY; POWERS. (a)

4           The judges of the district or statutory county courts shall  
5           establish standing orders to be followed by a magistrate or parties  
6           appearing before a magistrate, as applicable.

7           (b) To the extent authorized by this subchapter and the  
8           standing orders, a magistrate has jurisdiction to exercise the  
9           authority granted by the judges of the district or statutory county  
10          courts.

11          (c) A magistrate has all of the powers of a magistrate under  
12          the laws of this state and may administer an oath for any purpose.

13          (d) A magistrate shall give preference to performing the  
14          duties of a magistrate under Article 15.17, Code of Criminal  
15          Procedure.

16          (e) A magistrate is authorized to:

17                  (1) set, adjust, and revoke bonds before the filing of  
18                  an information or the return of an indictment;

19                  (2) conduct examining trials;

20                  (3) determine whether a defendant is indigent and  
21                  appoint counsel for an indigent defendant;

22                  (4) issue search and arrest warrants;

23                  (5) issue emergency protective orders;

24                  (6) order emergency mental commitments; and

25                  (7) conduct initial juvenile detention hearings if  
26                  approved by the Juvenile Board of Comal County.

27          (f) With the express authorization of a justice of the

1 peace, a magistrate may exercise concurrent criminal jurisdiction  
2 with the justice of the peace to dispose as provided by law of cases  
3 filed in the precinct of the authorizing justice of the peace,  
4 except for a trial on the merits following a plea of not guilty.

5 (g) A magistrate may:

6 (1) issue notices of the setting of a case for a  
7 hearing;

8 (2) conduct hearings;

9 (3) compel production of evidence;

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11 (5) issue summons for the appearance of witnesses;

12 (6) swear witnesses for hearings;

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14 (8) perform any act and take any measure necessary and  
15 proper for the efficient performance of the duties required by the  
16 magistrate's jurisdiction and authority.

17 Sec. 54.1157. PERSONNEL, EQUIPMENT, AND OFFICE SPACE. The  
18 Commissioners Court of Comal County shall provide:

19 (1) personnel for the legal or clerical functions  
20 necessary to perform the magistrate's duties authorized by this  
21 chapter; and

22 (2) provide sufficient equipment and office space for  
23 the magistrate and personnel to perform the magistrate's essential  
24 functions.

25 SECTION 2. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2003.

By: Wentworth S.B. No. 629  
(In the Senate - Filed February 21, 2003; February 27, 2003,  
read first time and referred to Committee on Jurisprudence;  
March 24, 2003, reported favorably by the following vote: Yeas 6,  
Nays 0; March 24, 2003, sent to printer.)

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(3) be at least 30 years of age.

(b) A magistrate appointed under Section 54.1151 must take the constitutional oath of office required of appointed officers of this state.

Sec. 54.1153. COMPENSATION. (a) A magistrate is entitled to the salary determined by the Commissioners Court of Comal County.

(b) A full-time magistrate's salary may not be less than that of a justice of the peace of Comal County as established by the annual budget of Comal County.

(c) A part-time magistrate's salary is equal to the per-hour salary of a justice of the peace. The per-hour salary is determined by dividing the annual salary by a 2000 work-hour year. The local administrative judge of the district courts serving Comal County shall approve the number of hours to be paid a part-time magistrate.

(d) The magistrate's salary is paid from the county fund available for payment of officers' salaries.

Sec. 54.1154. JUDICIAL IMMUNITY. A magistrate has the same judicial immunity as a district judge.

Sec. 54.1155. TERMINATION OF EMPLOYMENT. (a) A magistrate may be terminated by a majority vote of all the judges of the district and statutory county courts of Comal County.

(b) To terminate a magistrate's employment, the local administrative judge of the district courts serving Comal County must sign a written order of termination. The order must state:

(1) the magistrate's name; and

(2) the final date of the magistrate's employment.

Sec. 54.1156. JURISDICTION; RESPONSIBILITY; POWERS.

(a) The judges of the district or statutory county courts shall establish standing orders to be followed by a magistrate or parties appearing before a magistrate, as applicable.

(b) To the extent authorized by this subchapter and the

standing orders, a magistrate has jurisdiction to exercise the authority granted by the judges of the district or statutory county courts.

(c) A magistrate has all of the powers of a magistrate under the laws of this state and may administer an oath for any purpose.

(d) A magistrate shall give preference to performing the duties of a magistrate under Article 15.17, Code of Criminal Procedure.

(e) A magistrate is authorized to:

(1) set, adjust, and revoke bonds before the filing of an information or the return of an indictment;

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(4) issue search and arrest warrants;

(5) issue emergency protective orders;

(6) order emergency mental commitments; and

(7) conduct initial juvenile detention hearings if approved by the Juvenile Board of Comal County.

(f) With the express authorization of a justice of the peace, a magistrate may exercise concurrent criminal jurisdiction with the justice of the peace to dispose as provided by law of cases filed in the precinct of the authorizing justice of the peace, except for a trial on the merits following a plea of not guilty.

(g) A magistrate may:

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(4) hear evidence;

(5) issue summons for the appearance of witnesses;

(6) swear witnesses for hearings;

(7) regulate proceedings in a hearing; and

(8) perform any act and take any measure necessary and proper for the efficient performance of the duties required by the magistrate's jurisdiction and authority.

Sec. 54.1157. PERSONNEL, EQUIPMENT, AND OFFICE SPACE. The Commissioners Court of Comal County shall provide:

(1) personnel for the legal or clerical functions necessary to perform the magistrate's duties authorized by this chapter; and

(2) provide sufficient equipment and office space for the magistrate and personnel to perform the magistrate's essential functions.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

\* \* \* \* \*

FAVORABLE  
SENATE COMMITTEE REPORT ON

(SB) SCR SJR SR HB HCR HJR 629  
By Wentworth  
(Author/Senate Sponsor)  
3-24-03  
(date)

We, your Committee on JURISPRUDENCE, to which was referred the attached measure,  
have on 03/19/03, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Robert Duncan, Chairman	<input checked="" type="checkbox"/>			
Senator Mario Gallegos, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Kip Averitt	<input checked="" type="checkbox"/>			
Senator Teel Bivins			1	
Senator Chris Harris	<input checked="" type="checkbox"/>			
Senator Eddie Lucio, Jr.	<input checked="" type="checkbox"/>			
Senator Royce West	<input checked="" type="checkbox"/>			
TOTAL VOTES	6	0	1	0

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken

[Signature]  
COMMITTEE CLERK

[Signature]  
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files



## **BILL ANALYSIS**

Senate Research Center  
78R4711 YDB-D

S.B. 629  
By: Wentworth  
Jurisprudence  
3/10/2003  
As Filed

### **DIGEST AND PURPOSE**

The commissioners court of Comal County has requested the authority to authorize the appointment of one or more magistrates in that county. As proposed, S.B. 629 authorizes the commissioners court of Comal County to authorize district and county court at law judges in Comal County to appoint one or more full-time or part-time magistrates and sets forth the qualifications, compensation, jurisdiction, responsibility, and powers of such magistrates.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 54, Government Code, by adding Subchapter W, as follows:

#### **SUBCHAPTER W. MAGISTRATES IN COMAL COUNTY**

Sec. 54.1151. AUTHORIZATION; APPOINTMENT; ELIMINATION. (a) Authorizes the Commissioners Court of Comal County to authorize the judges of the district and statutory county courts in Comal County to appoint one or more part-time or full-time magistrates to perform the duties authorized by this subchapter.

(b) Authorizes the judges of the district and statutory county courts in Comal County by a unanimous vote to appoint magistrates as authorized by the Commissioners Court of Comal County.

(c) Requires an order appointing a magistrate to be signed by the local presiding judge of the district courts serving Comal County and requires the order to state certain information.

(d) Provides that an authorized magistrate's position may be eliminated on a majority vote of the Commissioners Court of Comal County.

Sec. 54.1152. QUALIFICATIONS; OATH OF OFFICE. (a) Requires a person, to be eligible for appointment as a magistrate, to meet certain qualifications.

(b) Requires a magistrate appointed under Section 54.1151 to take the constitutional oath of office required of appointed officers of this state.

Sec. 54.1153. COMPENSATION. (a) Provides that a magistrate is entitled to the salary determined by the Commissioners Court of Comal County.

(b) Prohibits a full-time magistrate's salary from being less than that of a justice of the

peace of Comal County as established by the annual budget of Comal County.

(c) Provides that a part-time magistrate's salary is equal to the per-hour salary of a justice of the peace. Provides that the per-hour salary is determined by dividing the annual salary by a 2000 work-hour year. Requires the local administrative judge of the district courts serving Comal County to approve the number of hours to be paid a part-time magistrate.

(d) Provides that the magistrate's salary is paid from the county fund available for payment of officers' salaries.

Sec. 54.1154. JUDICIAL IMMUNITY. Provides that a magistrate has the same judicial immunity as a district judge.

Sec. 54.1155. TERMINATION OF EMPLOYMENT. (a) Authorizes a magistrate to be terminated by a majority vote of all the judges of the district and statutory county courts of Comal County.

(b) Requires the local administrative judge of the district courts serving Comal County, in order to terminate a magistrate's employment, to sign a written order of termination. Requires the order to state certain information.

Sec. 54.1156. JURISDICTION; RESPONSIBILITY; POWERS. (a) Requires the judges of the district or statutory county courts to establish standing orders to be followed by a magistrate or parties appearing before a magistrate, as applicable.

(b) Provides that to the extent authorized by this subchapter and the standing orders a magistrate has jurisdiction to exercise the authority granted by the judges of the district or statutory county courts.

(c) Provides that a magistrate has all of the powers of a magistrate under the laws of this state and may administer an oath for any purpose.

(d) Requires a magistrate to give preference to performing the duties of a magistrate under Article 15.17, Code of Criminal Procedure.

(e) Provides that a magistrate is authorized to perform certain duties.

(f) Authorizes a magistrate, with the express authorization of a justice of the peace, to exercise concurrent criminal jurisdiction with the justice of the peace to dispose as provided by law of cases filed in the precinct of the authorizing justice of the peace, except for a trial on the merits following a plea of not guilty.

(g) Authorizes a magistrate to perform certain duties.

Sec. 54.1157. PERSONNEL, EQUIPMENT, AND OFFICE SPACE. Requires the Commissioners Court of Comal County to provide personnel for the legal or clerical functions necessary to perform the magistrate's duties authorized by this chapter and to provide sufficient equipment and office space for the magistrate and personnel to perform the magistrate's essential functions.

SECTION 2. Effective date: upon passage or September 1, 2003.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 18, 2003**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on Jurisprudence

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB629** by Wentworth (Relating to the creation of magistrates in Comal County.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
---

Under the bill, the Commissioners Court of Comal County may authorize the judges of the district and statutory county courts in Comal county to appoint one or more part-time or full-time magistrates. The bill would take immediate effect if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** JK, GO, DLBa

THE NEW BRAUNFELS HERALD-ZEITUNG  
NEW BRAUNFELS, TEXAS

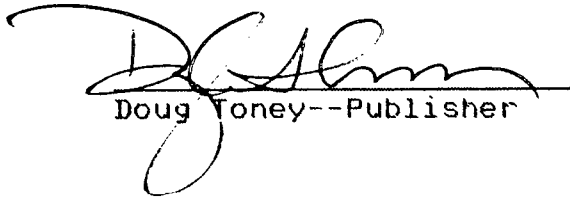
NEW BRAUNFELS HERALD-ZEITUNG

ATTN: NINFA CORDERO  
COMAL COUNTY PURCHASING  
150 N SEGUIN AVE SUITE 201  
NEW BRAUNFELS TX 78130-0000

REFERENCE: 12508131 PO# 25271  
509517 INV 3874/PUBLIC NOTI

STATE OF TEXAS  
COUNTY OF COMAL

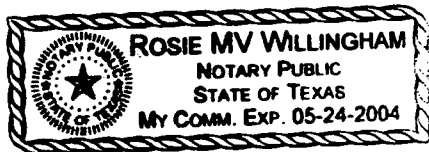
Before me, the undersigned authority, on this day, personally appeared, Doug Toney, who being duly sworn, deposes and says that he is the publisher of the New Braunfels Herald-Zeitung: that said newspaper is regularly published in Comal County and generally circulated in Comal, Guadalupe, Hays, and Bexar counties, Texas; that the attached notice was published on the following date.

  
Doug Toney--Publisher

PUBLISHED ON: 01/01

FILED ON: 01/02/03

Subscribed and sworn before me this  
2003 A.D.



  
Notary Public

110 Legal Notices

diagnosis, treat, and care for persons with mental health disabilities as well as to address the county's ability to legally address both civil and criminal matters pertaining to those with mental health disabilities.

110 Legal Notices

unincorporated areas of the county; Relating to authorization for counties, by local option, to increase fees collected by district and county clerks for the purpose of the courthouse security; Relating to enhancing the funding to properly

110 Legal Notices

tion for counties, to pass laws affecting the general health, safety and welfare of their citizens; Relating to authorization for counties, by local option, to collect impact fees as a part of its reasonable regulation of subdivisions, growth and development in the

110 Legal Notices

Legislature: Relating to the creation of a second county court at law in conjunction with amending the matters in which the district courts and county courts at law of Comal County will have concurrent jurisdiction; Relating to the creation of a limited-jurisdiction magistrate primarily to function as a jail magistrate; Relating to increasing the membership of the Juvenile Board in Comal County;


110 Legal Notices

**PUBLIC NOTICE**  
Comal County Commissioners Court hereby publishes notice of its intent to seek and/or support introduction and passage of legislation in the 78th Texas

# REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN  
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SB 629, by Wentworth,  
(Bill No.) (Author/Sponsor)  
was heard by the Committee on Jurisprudence on 03/19, 2003,  
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

  
(Clerk of the reporting committee)

**IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.**

By: Wentworth

S.B. No. 629

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S.B. No. 629

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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

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**March 18, 2003**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on Jurisprudence

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB629** by Wentworth (Relating to the creation of magistrates in Comal County.), **As Introduced**

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NEW BRAUNFELS, TEXAS

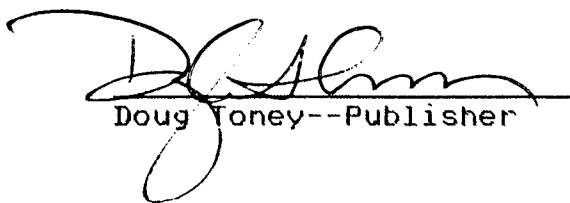
NEW BRAUNFELS HERALD-ZEITUNG

ATTN: NINFA CORDERO  
COMAL COUNTY PURCHASING  
150 N SEGUIN AVE SUITE 201  
NEW BRAUNFELS TX 78130-0000

REFERENCE: 12508131 PO# 25271  
509517 INV 3874/PUBLIC NOTI

STATE OF TEXAS  
COUNTY OF COMAL

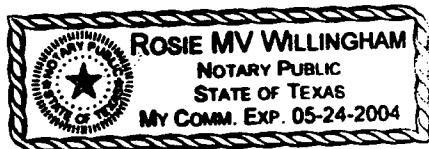
Before me, the undersigned authority, on this day, personally appeared, Doug Toney, who being duly sworn, deposes and says that he is the publisher of the New Braunfels Herald-Zeitung: that said newspaper is regularly published in Comal County and generally circulated in Comal, Guadalupe, Hays, and Bexar counties, Texas; that the attached notice was published on the following date.

  
Doug Toney--Publisher

PUBLISHED ON: 01/01

FILED ON: 01/02/03

Subscribed and sworn before me this 2nd of January  
2003 A.D.



  
Notary Public

110 Legal Notices

diagnosis, treat, and care for persons with mental health disabilities as well as to address the county's ability to legally address both civil and criminal matters pertaining to those with mental health disabilities.

110 Legal Notices

unincorporated areas of the county; Relating to authorization for counties, by local option, to increase fees collected by district and county clerks for the purpose of the courthouse security; Relating to enhancing the funding to properly

110 Legal Notices

tion for counties, to pass laws affecting the general health, safety and welfare of their citizens; Relating to authorization for counties, by local option, to collect impact fees as a part of its reasonable regulation of subdivisions, growth and development in the

110 Legal Notices

Legislature: Relating to the creation of a second county court at law in conjunction with amending the matters in which the district courts and county courts at law of Comal County will have concurrent jurisdiction; Relating to the creation of a limited-jurisdiction magistrate primarily to function as a jail magistrate; Relating to increasing the membership of the Juvenile Board in Comal County;

110 Legal Notices

**PUBLIC NOTICE**  
Comal County Commissioners Court hereby publishes notice of its intent to seek and/or support introduction and passage of legislation in the 78th Texas

S.B. No. 629

By Wentworth

A BILL TO BE ENTITLED

AN ACT:  
relating to the creation of magistrates in Comal County.

FEB 21 2003 Filed with the Secretary of the Senate

FEB 27 2003 Read and referred to Committee on JURISPRUDENCE

MAR 24 2003 Reported favorably \_\_\_\_\_

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

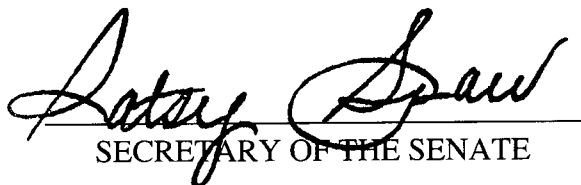
APR 03 2003 Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

APR 03 2003 Read second time, \_\_\_\_\_, and ordered engrossed by: { ~~unanimous consent~~  
a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

APR 03 2003 Senate and Constitutional 3 Day Rule suspended by a vote of 31 yeas, 0 nays.

APR 03 2003 Read third time, \_\_\_\_\_, and passed by: { A viva voce vote  
31 yeas, 0 nays

  
SECRETARY OF THE SENATE

OTHER ACTION:

April 3, 2003 Engrossed

April 3, 2003 Sent to House

Engrossing Clerk Mandi Allward

APR 03 2003 Received from the Senate

APR 07 2003 Read first time and referred to Committee on Judicial Affairs

Reported \_\_\_\_\_ favorably (as amended) (as substituted)

Sent to Committee on (Calendars) (Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)  
by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

Read third time (amended); finally passed (failed to pass) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

Returned to Senate.

Returned from House without amendment.

Returned from House with \_\_\_\_\_ amendments.

Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_  
CHIEF CLERK OF THE HOUSE

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays